

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TECH DATA CORP.,)
)
Plaintiff,)
)
v.) C.A. No. 05-667 (GMS)
)
HEWLETT-PACKARD CO.,)
)
Defendant.)

ORDER

WHEREAS on September 13, 2005, the plaintiff filed a complaint in the above-captioned action (D.I. 1);

WHEREAS the complaint alleges subject matter jurisdiction pursuant to 28 U.S.C. § 1332;

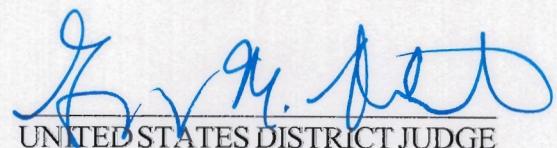
WHEREAS that statute allows a corporation to be deemed “a citizen of any State by which it has been incorporated *and of the State where it has its principal place of business*,” § 1332(c)(1) (emphasis added); and

WHEREAS, although the complaint alleges the states of incorporation for both the plaintiff and the defendant, the complaint fails to allege the parties’ respective principal places of business.

IT IS HEREBY ORDERED THAT:

The plaintiff amend its complaint to contain all information necessary for the court to determine whether the exercise of subject matter jurisdiction pursuant to § 1332 is appropriate.

Dated: September 30, 2005


UNITED STATES DISTRICT JUDGE

